

REMARKS/ARGUMENTS

Favorable reconsideration of this application is respectfully requested.

Claims 1-15 and 17 are pending in this application. Claim 16 has been canceled without prejudice or disclaimer. Claims 1-3, 5-13, 15, and 17 have been amended to clarify that the previously recited "delivery item" is a --tangible item--, that the recipient's terminal apparatus obtains a public key from the delivery agency and uses it to encrypt at least private information needed to enable delivery of the tangible item to the recipient and transmits this encrypted information to the sender's terminal apparatus that uses it to create a tangible encrypted entity carrying or storing this encrypted information that is included with the the tangible item forwarded to the delivery agency which decrypts the tangible encrypted entity using a secret key known only to the delivery agency so that the information needed for making the delivery to the recipient can be used to complete the delivery of the tangible item to the recipient. These clarifying amendments are clearly supported by at least FIGS. 5-6 and the corresponding disclosure starting at the last line on the bottom of specification page 18 and continuing to page 21, line 6, for example.

The outstanding Office Action presents a rejection of Claim 16 under 35 U.S.C. §101, a rejection of Claims 1-6 and 8-17 as being anticipated by Numao (U.S. Patent No. 6,377,688) under 35 U.S.C. § 102(b) and a rejection of Claims 6-8, 16, and 17 as being unpatentable over Numao in view of Maruyama (U.S. Patent Application Publication No. 2002/0144118) under 35 U.S.C. §103(a).

The rejections of canceled Claim 16 under 35 U.S.C. §101, 35 U.S.C. § 102(b), and 35 U.S.C. §103(a) are all respectfully submitted to be moot as this Claim has been canceled as noted above.

The rejection of Claims 1-6, 8-15, and 17 as being anticipated by Numao is traversed as Numao does not teach or suggest a tangible item delivery system or method in which a

tangible item to be delivered to a recipient by a sender is first sent by the sender to a delivery agency with an encrypted medium that contains at least the information needed to deliver the tangible item to the recipient where only the delivery agency has the private key that can decrypt this information to permit delivery of the tangible item to the recipient.

To the extent that the outstanding Action appears to have misinterpreted the previously presented claim terminology requiring “delivery” items as messages, such misinterpretations are no longer possible. It is further impossible to find any teaching or suggestion in Numao of the forwarding of the tangible item with a tangible encrypted medium carrying or storing the recipient’s encryption information to a delivery agency by the sender, a feature present in all of the pending claims that is either expressly recited or incorporated by virtue of claim dependency. Accordingly, withdrawal of the rejection of pending Claims 1-6 and 8-15 and 17 as being anticipated by Numao is respectfully requested.

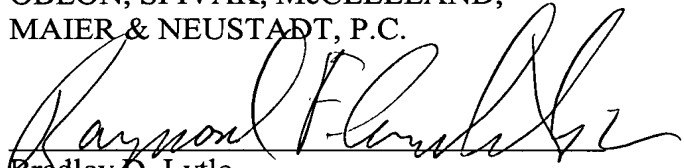
In addition, as Maruyama cures none of the above-noted deficiencies of Numao, withdrawal of the rejection of pending Claims 6-8 and 17 as being unpatentable over Numao in view of Maruyama is also respectfully requested.

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Reply to Office Action of 04/06/07

As no further issues are believed to remain outstanding in the present application, it is believed that this application is clearly in condition for formal allowance and an early and favorable action to that effect is, therefore, respectfully requested.

Respectfully submitted,

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